



U.S. Department of Justice

United States Attorney
District of New Jersey
Civil Division

CRAIG CARPENITO
UNITED STATES ATTORNEY

Susan Millenky
Assistant United States Attorney
Civil Rights Unit

970 Broad Street, Suite 700
Newark, NJ 07102
susan.millenky@usdoj.gov

main: (973) 645-2700
direct: (973) 297-2067
fax: (973) 297-2010

August 21, 2020

By ECF

The Honorable Joseph A. Dickson
United States Magistrate Judge
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: ***United States v. Borough of Woodcliff Lake et al.,***
Civil Action No. 2:18-cv-10511 (JLL) (JAD)

Valley Chabad Inc. v. Borough of Woodcliff Lake et al.,
Civil Action No. 2:16-cv-8087 (JLL) (JAD)

Dear Judge Dickson:

We write on behalf of the United States in the above-referenced consolidated actions to respectfully request a status conference with the Court. Plaintiff seeks to return to active litigation in light of the defendant Borough's postponements of a Council vote on the previously negotiated resolutions in each action. Counsel for plaintiff Valley Chabad has advised us that it joins in this request.

As Your Honor knows, the parties to each action negotiated proposed consent orders to resolve these matters over the past year and a half, with substantial assistance from the Court. Defendant the Borough of Woodcliff Lake initially scheduled a Council vote to approve or reject these agreements for August 10, 2020. The Borough then delayed the vote to August 20, 2020. On August 19, 2020, plaintiffs learned that the Borough intended to again postpone the vote to September 14, 2020. We further understand that, if there is indeed a vote on September 14, 2020, it is not certain that the Council will vote to approve the negotiated settlements.

While we understand that defense counsel negotiated in good faith, the eighteen-month delay in discovery while the parties have explored settlement imperils plaintiffs' ability to litigate these actions, which allege civil rights violations

that began well over a decade ago. Both plaintiffs therefore seek to quickly resume discovery and respectfully request a status conference at the Court's convenience to set new discovery deadlines so the parties are in a position to move forward if the defendant rejects the proposed resolutions of these matters.

We thank the Court for considering this request.

Respectfully submitted,

CRAIG CARPENITO
United States Attorney

By: /s/ Susan Millenky
SUSAN MILLENKY
Assistant United States Attorney

cc: Counsel of Record (By ECF)

CERTIFICATE OF SERVICE

I, Susan Millenky, Assistant United States Attorney for the District of New Jersey, hereby certify that on August 21, 2020, the foregoing letter was served on counsel for all parties by ECF.

Dated: Newark, New Jersey
 August 21, 2020

/s/ Susan Millenky
SUSAN MILLENKY
Assistant United States Attorney